

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Arthur Thomas Cozart**

S.S. No.: xxx-xx-7696

Mailing Address: 2116-A Bogarde Street, Durham, NC 27705-

**Case No. 10-82181**

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Debtor.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on November 30, 2010.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 15, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtor

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 9/19/10

Lastname-SS#: Cozart-7696

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Creditor Name	Sch D #	Description of Collateral
Sprint Wireless		
NC Child Support		

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
Sprint Wireless			**
NC Child Support			**
			**
			**
BAC Home Loans			**
1st DOT-Home Comings		\$10,686	**
			**
			**

## REJECTED EXECUTORY CONTRACTS/LEASES

Creditor Name	Description of Collateral

## 1ST - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
BAC Home Loans		\$900	N/A	n/a	\$900.00	Residence
1st DOT-Home Comings		\$1,301	N/A	n/a	\$1,301.00	Rental Property
			N/A	n/a		
			N/A	n/a		

## SID - SECURED DEBTS @ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			

## SID - SECURED DEBTS @ 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			5.00			
			5.00			
			5.00			
			5.00			
			5.00			

## ATTORNEY FEE (Unpaid part)

Law Offices of John T. Orcutt, P.C. Amount \$2,800

## SECURED TAXES

IRS Tax Liens Secured Amt

Real Property Taxes on Retained Realty

## UNSECURED PRIORITY DEBTS

IRS Taxes Amount \$6,708

State Taxes \$722

Personal Property Taxes

Alimony or Child Support Arrearage \$2,000

CO-SIGN PROTECT (Pay 100%) Int. % Payoff Amt

All Co-Sign Protect Debts (See\*)

GENERAL NON-PRIORITY UNSECURED Amount\*\*

DMI= None(\$0) None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ 2,738 per month for 60 months, then

\$ N/A per month for N/A months.

Adequate Protection Payment Period: 1.61 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers". Interest on EAE at fed. judgment rate

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
Kaelyn McCollum

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

GC Services  
6330 Gulfton  
Houston, TX 77081

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

BAC Home Loans Servicing, LP  
Attn: Managing Agent  
Customer Service CA6-919-01-41  
Post Office Box 5170  
Simi Valley, CA 93062-5170

GMAC Mortgage  
Attn: Managing Agent  
ATTN: Customer Service  
Post Office Box 780  
Waterloo, IA 50704-0780

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Better Trades  
Unknown Address

HSBC \*\*  
Post Office Box 80084  
Salinas, CA 93912-0084

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Capital One \*\*\*  
Post Office Box 30285  
Salt Lake City, UT 84130-0285

HSBC \*\*\*  
Cardmember Services  
PO Box 5250  
Carol Stream, IL 60197-5250

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Child Support Enforcement  
Post Office Box 20800  
Raleigh, NC 27619-0800

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Julissa Olivares Cozart  
700 Morreene Road Apt. N3  
Durham, NC 27705

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Credit One Bank, N.A.\*\*  
PO Box 98873  
Las Vegas, NV 89193-8873

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Deborah Rutledge  
11268 Covey Lane  
Frisco, TX 75035

North Carolina Department of Re  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

Internal Revenue Service (ED)\*\*  
Post Office Box 7346  
Philadelphia, PA 19101-7346

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

North Carolina Dept of Revenue\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

SunTrust  
Recovery Department  
Post Office Box 85041  
Richmond, VA 23285-5041

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Verizon Wireless Bankruptcy\*\*\*\*  
Administration  
Post Office Box 3397  
Bloomington, IL 61702-3397

Veterans Administration (Middle)\*\*  
Regional Office  
251 North Main Street  
Winston-Salem, NC 27155